

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ES-KO INTERNATIONAL, INC.,

Plaintiff

v.

ANSWER

Case No. 06 CV 2442 (PKC)

COMPASS GROUP PLC, ESS SUPPORT
SERVICES WORLDWIDE, EUREST SUPPORT
SERVICES (CYPRUS) INTERNAIONAL
LIMITED, PETER HARRIS, ANDREW SEIWERT,
STEVE KEMP, LEN SWAIN, STEVE BICKERSTAFF,
DOUG KERR, IHC SERVICES, INC., EZIO TESTA
ALEXANDER YAKOVLEV, DMITRY YAKOVLEV,
VLADAMIR KUZNETSOV, and JOHN DOES 1 to 100

Defendants

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Defendant, ALEXANDER YAKOVLEV and Defendant DMITRY YAKOVEV,
by and through their attorneys LAW OFFICES OF BUKH & ASSOCIATES, as and for
his Answer to the Complaint alleged by Plaintiff, ES-KO INERNATIONAL, INC., each
states upon information and belief as follows:

I. INTRODUCTION

1. Denies knowledge or information sufficient to form a belief as to the truth of
each and every allegation contained in paragraph “1” of the Complaint to the extent
referable to other Defendants. To the extent referable to the answering Defendant(s),
denies each and every allegation contained in paragraph “1” of the Complaint.

2. Denies knowledge or information sufficient to form a belief as to the truth of
each allegation contained in paragraph “2” of the Complaint to the extent referable to

other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “2” of the Complaint.

3. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “3” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “3” of the Complaint.

4. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “4” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “4” of the Complaint.

5. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “5” of the Complaint to the extent referable to other Defendants. To the extent referable to the Answering Defendant(s) deny each and every allegation contained in paragraph “5”, except admits pleading guilty to conspiracy, wire fraud, and money laundering, but unrelated to bribes.

6. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “6” of the Complaint.

7. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “7” of the Complaint.

8. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “8” of the Complaint to the extent referable to other Defendants. To the extent referable to the Answering Defendant(s) deny each and every allegation contained in paragraph “8”, and refers all question of law to the Honorable Court.

JURISDICTION AND VENUE

9. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “9” of the Complaint, and refers all question of law to the Honorable.

10. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “10” of the Complaint, and refers all question of law to the Honorable Court.

11. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “11” of the Complaint to the extent referable to other Defendants. To the extent referable to the Answering Defendant(s) deny each and every allegation contained in paragraph “11”, and refers all question of law to the Honorable Court.

PARTIES

12. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “12” of the Complaint.

13. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “13” of the Complaint.

14. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “14” of the Complaint.

15. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “15” of the Complaint.

16. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “16” of the Complaint to the extent referable to other

Defendants. To the extent referable to the Answering Defendant(s) deny each and every allegation contained in paragraph “16”.

17. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “17” of the Complaint to the extent referable to other Defendants. To the extent referable to the Answering Defendant(s) deny each and every allegation contained in paragraph “17”.

18. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “18” of the Complaint.

19. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “19” of the Complaint.

20. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “20” of the Complaint.

21. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “21” of the Complaint.

22. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “22” of the Complaint.

23. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “23” of the Complaint.

24. Defendant(s) deny each and every allegation contained in paragraph “24”, except admits the following: Alexander Yakovlev was an employee of the United Nations from 1985 to 2005; Yakovlev was employed as Team Leader for the Field Procurement Section of the Procurement Division of the United Nations.

25. Defendant(s) deny each and every allegation contained in paragraph “25”, except admits the following: Dmitry Yakovlev is Alexander Yakovlev’s son, Dmitry Yakovlev

was employed at IHC for a total of two and months in the Summer 1998 and 1998, also in 2002 Dimitry had an intership for approximately nine months.

26. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “26” of the Complaint.

27. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “27” of the Complaint.

STATEMENT OF FACTS

I. United Nations Peacekeeping Forces and the Procurement Division

28. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “28” of the Complaint.

29. Admits all allegations contained in paragraph “29” of the Complaint.

30. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “30” of the Complaint.

31. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “31” of the Complaint.

32. Admits all allegations contained in paragraph “32” of the Complaint, except denies that the market for supplying United Nations peacekeeping missions with food services is difficult to enter because of the physical, financial and logistical risks inherent in operating in the often hostile locations where such missions are deployed.

33. Admits all allegations contained in paragraph “33” of the Complaint.

34. Admits all allegations contained in paragraph “34” of the Complaint.

35. Admits all allegations contained in paragraph “35” of the Complaint.

36. Admits all allegations contained in paragraph “36” of the Complaint.

37. Admits all allegations contained in paragraph “37” of the Complaint, except denies HCC approves recommendations for contract awards.
38. Admits all allegations contained in paragraph “38” of the Complaint.
39. Admits all allegations contained in paragraph “39” of the Complaint.
40. Denies all allegations contained in paragraph “40” of the Complaint.

II. ES-KO and Its Relationship with the Procurement Division

41. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “41” of the Complaint.
42. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “42” of the Complaint.
43. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “43” of the Complaint.
44. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “44” of the Complaint.
45. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “45” of the Complaint.
46. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “46” of the Complaint.
47. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “47” of the Complaint.
48. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “48” of the Complaint to the extent referable to the Plaintiff, ES-KO and other Defendants. To the extent referable to the answering

Defendant(s) denies each and every allegation contained in paragraph “48” of the Complaint.

III. Compass Group/ESS, IHC, Alexander Yakovlev, and the Bid-Rigging Scheme

A. Compass Group/ESS Paid IHC for its Illegal “Assistance” as a “Vendor Intermediary.”

49. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “49” of the Complaint.
50. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “50” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegations contained in paragraph “50” of the Complaint.
51. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “51” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegations contained in paragraph “51” of the Complaint.
52. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “52” of the Complaint.
53. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “53” of the Complaint.
54. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “54” of the Complaint.
55. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “55” of the Complaint.
56. Denies each and every allegation contained in paragraph “56” of the complaint.

57. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “57” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegations contained in paragraph “57” of the Complaint.

58. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “58” of the Complaint.

B. Alexander Yakovlev Supplied IHC and Compass Group/ESS with Confidential Information in Exchange for Substantial Bribes and/or Other Illegal Consideration or Remuneration.

59. Denies each and every allegation contained in paragraph “59” of the complaint.

60. Denies each and every allegation contained in paragraph “60” of the complaint, except admits on or about August 8, 2005 Yakovlev plead guilty in the Southern District of New York to charges of conspiracy, wire fraud, and money laundering, however, those charges were unrelated to his performance of his duties as a Team Lead for the Headquarters Procurement Section of Procurement Division between 1993 and 2005.

61. Denies each and every allegation contained in paragraph “61” of the complaint.

62. Denies each and every allegation contained in paragraph “62” of the complaint.

63. Denies each and every allegation contained in paragraph “63” of the complaint, except admits Dmitry Yakovlev was employed with IHC, but not during the dates specified in paragraph “63” of the Complaint.

64. Denies each and every allegation contained in paragraph “64” of the complaint.

65. Admits to the allegations in paragraph “65”, except denies that his “son’s relationship with IHC” is as described in the preceding paragraphs in the complaint.

C. The Methods Employed Pursuant to the Ongoing Bid-Rigging Scheme Among the Defendants

66. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “66” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegations contained in paragraph “66” of the Complaint.
67. Denies each and every allegation contained in paragraph “67” of the Complaint.
68. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “68” of the Complaint.
69. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “68” of the Complaint to the extent referable to the Plaintiff ES-KO. To the extent referable to the answering Defendant(s) denies each and every allegations contained in paragraph “69” of the Complaint.
70. Denies each and every allegation contained in paragraph “70” of the Complaint.
71. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “71” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “71” of the Complaint.
72. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “72” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “72” of the Complaint.
73. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “73” of the Complaint to the extent referable to the

other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “73” of the Complaint.

74. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “74” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “74” of the Complaint.

75. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “75” of the Complaint to the extent referable to the Plaintiff ES-KO. To the extent referable to the answering other Defendant(s) denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “75” of the Complaint. To the extent referable to the answering Defendant(s) denies each and every allegations contained in paragraph “75” of the Complaint.

76. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “76” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “76” of the Complaint.

77. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “77” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “77” of the Complaint.

**IV. Contracts Which But for the Bid-Rigging Scheme
Would Have Been Awarded to ES-KO**

A. Liberia

78. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “78” of the Complaint.
79. Admits all allegations contained in paragraph “79” of the Complaint.
80. Admits all allegations contained in paragraph “80” of the Complaint.
81. Admits all allegations contained in paragraph “81” of the Complaint, except denies that on or about October 22, 2003, ES-KO was awarded Liberia Interim Contract.
82. Admits all allegations contained in paragraph “82” of the Complaint.
83. Admits all allegations contained in paragraph “83” of the Complaint.
84. Admits all allegations contained in paragraph “84” of the Complaint.
85. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “85” of the Complaint.
86. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “86” of the Complaint
87. Admits that ESS was awarded the Liberia Main Contract, but deny the date of the award and the fact the award was made in a departure from usual practice.
88. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “88” of the Complaint.
89. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “89” of the Complaint to the extent referable to ES-KO, the Plaintiff. To the extent referable to the Answering Defendant(s) denies each and every allegation contained in paragraph “89” of the Complaint except admits Dovgopoly

responded, but denies knowledge or information sufficient to form a belief as to the date of the response.

90. Admits the allegations contained paragraph “90” of the Complaint, but denies knowledge or information sufficient to form a belief as to the date.

91. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “91” of the Complaint.

92. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “92” of the Complaint.

93. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “93” of the Complaint.

94. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “94” of the Complaint.

95. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “95” of the Complaint.

96. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “96” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “96” of the Complaint.

97. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “97” of the Complaint.

98. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “98” of the Complaint.

99. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “99” of the Complaint.

100. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “100” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “100” of the Complaint.

101. Denies each and every allegation contained in paragraph “101” of the Complaint.

102. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “102” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “102” of the Complaint.

103. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “103” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “103” of the Complaint.

104. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “104” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “104” of the Complaint. To the extent referable to ES-KO, the Plaintiff, denies each and every allegation contained in paragraph “104” of the Complaint.

105. Admits the allegations contained in paragraph “105” of the Complaint, except brings t to the Court’s attention the fact that ESS failure to mobilize was due to actions of ES-KO.

106. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “106” of the Complaint.

107. Denies each and every allegation contained in paragraph “107” of the Complaint.

B. Cyprus

108. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “108” of the Complaint.

109. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “109” of the Complaint.

110. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “110” of the Complaint.

111. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “111” of the Complaint.

112. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “112” of the Complaint.

113. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “113” of the Complaint.

114. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “114” of the Complaint.

115. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “115” of the Complaint.

116. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “116” of the Complaint.

117. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “117” of the Complaint.

118. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “118” of the Complaint to the extent referable to the

other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “118” of the Complaint.

119. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “119” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “119” of the Complaint.

120. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “120” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “120” of the Complaint.

121. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “121” of the Complaint.

122. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “122” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “122” of the Complaint.

C. East Timor

123. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “123” of the Complaint.

124. Admits the allegations contained in paragraph “124” of the Complaint, but denies s knowledge or information sufficient to form a belief as to the dates referenced in paragraph “124” of the Complaint.

125. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “125” of the Complaint to the extent referable to

Andrew Toh. To the extent referable to the answering defendant denies each and every allegation contained in paragraph “125” of the Complaint, except admits that all inquires to the RFP were to be directed to Yakovlev.

126. Admits the allegations contained in paragraph “126” of the Complaint, but denies s knowledge or information sufficient to form a belief as to the dates referenced in paragraph “126” of the Complaint.

127. Admits the allegations contained in paragraph “127” of the Complaint, but denies s knowledge or information sufficient to form a belief as to the dates referenced in paragraph “127” of the Complaint.

128. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “128” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “128” of the Complaint.

129. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “129” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “129” of the Complaint.

130. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “130” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “130” of the Complaint.

131. Denies each and every allegation contained in paragraph “131” of the Complaint.

132. Denies each and every allegation contained in paragraph “132” of the Complaint.

D. Eritrea

133. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “133” of the Complaint.

134. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “134” of the Complaint.

135. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “135” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “135” of the Complaint. To the extent referable to the Plaintiff, ES-KO, denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph “135” of the Complaint.

136. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “136” of the Complaint.

137. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “137” of the Complaint.

138. Admits the allegations contained in paragraph “138” of the Complaint, but denies s knowledge or information sufficient to form a belief as to the dates referenced in paragraph “138” of the Complaint.

139. Admits the allegations contained in paragraph “139” of the Complaint.

140. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “140” of the Complaint.

141. Admits the allegations contained in paragraph “141” of the Complaint, but denies s knowledge or information sufficient to form a belief as to the dates referenced in paragraph “141” of the Complaint.

142. Admits the allegations contained in paragraph “142” of the Complaint, but denies knowledge or information sufficient to form a belief as to the dates referenced in paragraph “142” of the Complaint, and denies that Yakovlev was the custodian of the bidder’s proposals.

143. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “143” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “143” of the Complaint.

144. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “144” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “144” of the Complaint. To the extent referable to the Plaintiff, ES-KO, denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “144” of the Complaint.

145. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “145” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “145” of the Complaint.

146. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “145” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “145” of the Complaint.

147. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “147” of the Complaint.

148. Denies each and every allegation contained in paragraph “148” of the Complaint.

E. Syria

149. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “149” of the Complaint.

150. Admits the allegations contained in paragraph “150” of the Complaint, but denies s knowledge or information sufficient to form a belief as to the dates referenced in paragraph “150” of the Complaint and denies that Yakovlev became the custodian of proposals.

151. Admits the allegations contained in paragraph “151” of the Complaint, but denies s knowledge or information sufficient to form a belief as to the dates referenced in paragraph “151” of the Complaint.

152. Admits the allegations contained in paragraph “152” of the Complaint, but denies s knowledge or information sufficient to form a belief as to the dates referenced in paragraph “152” of the Complaint.

153. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “153” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “153” of the Complaint.

154. Admits the allegations contained in paragraph “154” of the Complaint.

155. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “155” of the Complaint to the extent referable to the

other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “155” of the Complaint.

156. Denies each and every allegation contained in paragraph “156” of the Complaint.

157. Denies each and every allegation contained in paragraph “157” of the Complaint.

F. Lebanon

158. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “158” of the Complaint.

159. Admits the allegations contained in paragraph “150” of the Complaint, but denies s knowledge or information sufficient to form a belief as to the dates referenced in paragraph “159” of the Complaint.

160. Admits the allegations contained in paragraph “161” of the Complaint, but denies s knowledge or information sufficient to form a belief as to the dates referenced in paragraph “160” of the Complaint.

161. Admits the allegations contained in paragraph “161” of the Complaint, but denies knowledge or information sufficient to form a belief as to the dates referenced in paragraph “161” of the Complaint.

162. Admits the allegations contained in paragraph “160” of the Complaint, but denies s denies that Yakovlev became the custodian of proposals.

163. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “163” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “163” of the Complaint.

164. Admits the allegations contained in paragraph “164” of the Complaint.

165. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “165” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “165” of the Complaint.

166. Denies each and every allegation contained in paragraph “166” of the Complaint.

167. Denies each and every allegation contained in paragraph “167” of the Complaint.

G. Burundi

168. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “168” of the Complaint.

169. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “169” of the Complaint to the extent referable Christian Saunders, but admit the issuance of the solicitation and that Yakovlav was the point of contact.

170. Admits the allegations contained in paragraph “170” of the Complaint, but denies s knowledge or information sufficient to form a belief as to the dates referenced in paragraph “170” of the Complaint.

171. Admits the allegations contained in paragraph “171” of the Complaint, but denies s knowledge or information sufficient to form a belief as to the dates referenced in paragraph “171” of the Complaint.

172. Admits the allegations contained in paragraph “172” of the Complaint, but denies s knowledge or information sufficient to form a belief as to the dates referenced in paragraph “172” of the Complaint.

173. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “173” of the Complaint.

174. Admits the allegations contained in paragraph “174” of the Complaint, but denies s knowledge or information sufficient to form a belief as to the dates referenced in paragraph “174” of the Complaint.
175. Admits the allegations contained in paragraph “175” of the Complaint, but denies s knowledge or information sufficient to form a belief as to the dates referenced in paragraph “175” of the Complaint.
176. Admits the allegations contained in paragraph “176” of the Complaint, but denies s knowledge or information sufficient to form a belief as to the dates referenced in paragraph “176” of the Complaint and denies that Yakovlev became the custodian of proposals.
177. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “177” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “177” of the Complaint.
178. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “178” of the Complaint.
179. Admits the allegations contained in paragraph “179” of the Complaint, but denies s knowledge or information sufficient to form a belief as to the dates referenced in paragraph “179” of the Complaint.
180. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “180” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “180” of the Complaint.

181. Admits the allegations contained in paragraph “181” of the Complaint, but denies the use of the word “alter” in paragraph “181” of the Complaint.

182. Admits the allegations contained in paragraph “182” of the Complaint, but denies knowledge or information sufficient to form a belief as to the dates and time referenced in paragraph “182” of the Complaint.

183. Admits the allegations contained in paragraph “182” of the Complaint, but denies knowledge or information sufficient to form a belief as to the dates and time referenced in paragraph “182” of the Complaint and whether the “checklist and related documents were labeled ‘strictly confidential, not for release outside the United States.’”

184. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “184” of the Complaint.

185. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “185” of the Complaint.

186. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “186” of the Complaint.

187. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “187” of the Complaint.

188. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “188” of the Complaint.

189. Denies each and every allegation contained in paragraph “189” of the Complaint.

190. Denies each and every allegation contained in paragraph “190” of the Complaint.

191. Denies each and every allegation contained in paragraph “191” of the Complaint.

H. Sudan

192. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “192” of the Complaint.

193 Admits the allegations contained in paragraph “193” of the Complaint, but denies knowledge or information sufficient to form a belief as to the dates referenced in paragraph “193” of the Complaint.

194. Admits the allegations contained in paragraph “194” of the Complaint, but denies knowledge or information sufficient to form a belief as to the dates referenced in paragraph “194” of the Complaint.

195. Admits the allegations contained in paragraph “195” of the Complaint, but denies knowledge or information sufficient to form a belief as to the dates referenced in paragraph “195” of the Complaint.

196. Denies each and every allegation contained in paragraph “196” of the Complaint.

197. Denies each and every allegation contained in paragraph “197” of the Complaint.

198. Denies each and every allegation contained in paragraph “198” of the Complaint.

199. Denies each and every allegation contained in paragraph “199” of the Complaint.

200. Admits the allegations contained in paragraph “200” of the Complaint.

201. Admits the allegations contained in paragraph “201” of the Complaint, but denies knowledge or information sufficient to form a belief as to the dates referenced in paragraph “201” of the Complaint.

202. Admits the allegations contained in paragraph “202” of the Complaint.

203. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “203” of the Complaint to the extent referable to the

other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “203” of the Complaint.

204. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “204” of the Complaint.

205. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “205” of the Complaint.

206. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “206” of the Complaint.

207. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “207” of the Complaint.

208. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “208” of the Complaint. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “208” of the Complaint.

209. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “209” of the Complaint.

210. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “210” of the Complaint.

211. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “211” of the Complaint.

212. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “212” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “212” of the Complaint.

213. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “213” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “213” of the Complaint.
214. Admits the allegations contained in paragraph “214” of the Complaint, but denies knowledge or information sufficient to form a belief as to the dates referenced in paragraph “214” of the Complaint.

215. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “215” of the Complaint.

216. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “216” of the Complaint.

217. Denies each and every allegation contained in paragraph “217” of the Complaint.

218. Denies each and every allegation contained in paragraph “218” of the Complaint.

219. Denies each and every allegation contained in paragraph “219” of the Complaint.

I. Kosovo

220. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “220” of the Complaint.

221. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “221” of the Complaint.

222. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “222” of the Complaint.

223. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “223” of the Complaint.

224. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “224” of the Complaint.
225. Denies each and every allegation contained in paragraph “225” of the Complaint.
226. Denies each and every allegation contained in paragraph “226” of the Complaint.
227. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “227” of the Complaint.
228. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “228” of the Complaint
229. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “227” of the Complaint
230. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “230” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “230” of the Complaint.
231. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “231” of the Complaint
232. Denies each and every allegation contained in paragraph “232” of the Complaint.
233. Denies each and every allegation contained in paragraph “233” of the Complaint.
234. Denies each and every allegation contained in paragraph “234” of the Complaint.

**V. Additional Contracts From Which ES-KO Sustained Damages
Based on the Forced Reduction of its Gross Margins**

A. Sierra Leone

235. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “235” of the Complaint.

236. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “236” of the Complaint.
237. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “237” of the Complaint.
238. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “238” of the Complaint.
239. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “239” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “239” of the Complaint. To the extent referable to the Plaintiff, ES-KO, denies knowledge or information sufficient to form a belief as the truth of each allegation contained in paragraph “239” of the Complaint.
240. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “240” of the Complaint.
241. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “241” of the Complaint.
242. Denies each and every allegation contained in paragraph “242” of the Complaint.
- B. Congo**
243. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “243” of the Complaint.
244. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “244” of the Complaint.
245. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “245” of the Complaint.

246. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “246” of the Complaint.
247. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “247” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “247” of the Complaint. To the extent referable to the Plaintiff, ES-KO, denies knowledge or information sufficient to form a belief as the truth of each allegation contained in paragraph “247” of the Complaint.
248. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “248” of the Complaint.
249. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “249” of the Complaint.
250. Denies each and every allegation contained in paragraph “250” of the Complaint.
251. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “251” of the Complaint.
252. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “252” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “252” of the Complaint, except admits... To the extent referable to the Plaintiff, ES-KO, denies knowledge or information sufficient to form a belief as the truth of each allegation contained in paragraph “252” of the Complaint.

253. Admits the allegations contained in paragraph “253” of the Complaint, but denies knowledge or information sufficient to form a belief as to the dates referenced in paragraph “253” of the Complaint.

254. Admits the allegations contained in paragraph “254” of the Complaint, but denies knowledge or information sufficient to form a belief as to the dates referenced in paragraph “254” of the Complaint.

255. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “255” of the Complaint.

256. Denies each and every allegation contained in paragraph “256” of the Complaint.

C. Haiti

257. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “257” of the Complaint.

258. Admits the allegations contained in paragraph “258” of the Complaint, but denies knowledge or information sufficient to form a belief as to the dates referenced in paragraph “258” of the Complaint.

259. Admits the allegations contained in paragraph “259” of the Complaint, but denies knowledge or information sufficient to form a belief as to the dates referenced in paragraph “259” of the Complaint.

260. Admits the allegations contained in paragraph “260” of the Complaint, but denies knowledge or information sufficient to form a belief as to the dates referenced in paragraph “260” of the Complaint.

261. Admits the allegations contained in paragraph “260” of the Complaint.

262. Denies knowledge or information sufficient to form a belief as each and every allegation contained in paragraph “262” of the Complaint.

263. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “263” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “263” of the Complaint. To the extent referable to the Plaintiff, ES-KO, denies knowledge or information sufficient to form a belief as the truth of each allegation contained in paragraph “263” of the Complaint.

264. Denies each and every allegation contained in paragraph “264” of the Complaint.

VI. The Bid-Rigging Scheme Is Exposed

265. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “265” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “265” of the Complaint.

266. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “266” of the Complaint.

267. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “267” of the Complaint.

268. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “268” of the Complaint.

269. Denies each and every allegation contained in paragraph “269” of the complaint, except admits on or about August 8, 2005 Yakovlev plead guilty in the Southern District of New York before Judge Pauley to charges of conspiracy, wire fraud, and money laundering, however, those charges were unrelated to his performance of his duties as a Procurement officer at the United Nations between 1993 and 2005.

270. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “270” of the Complaint.

271. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “271” of the Complaint.

272. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “272” of the Complaint.

273. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “273” of the Complaint.

274. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “274” of the Complaint.

VII. Compass Group’s “House-Cleaning” Is Really a Cover-Up

275. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “275” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “275” of the Complaint.

276. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “276” of the Complaint.

277. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “277” of the Complaint.

278. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “278” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “278” of the Complaint.

279. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “279” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “27” of the Complaint.

280. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “280” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “280” of the Complaint.

281. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “281” of the Complaint.

282. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “282” of the Complaint.

283. Denies knowledge or information sufficient to form a belief as to the truth of each allegation contained in paragraph “283” of the Complaint to the extent referable to the other Defendants. To the extent referable to the answering Defendant(s) denies each and every allegation contained in paragraph “283” of the Complaint.

CLAIMS FOR RELIEF

COUNT I

(CIVIL RICO BASED ON THE DEFENDANT’S PARTICIPATION IN THE AFFAIR OF THE PROCUREMENT DIVISION)

(AS AGAINST ALL DEFENDANTS)

284. Defendant(s) repeat their answers, as if fully set forth herein, to the allegations contained in paragraphs 1-283 of Plaintiff’s Complaint.

285. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “285” of the Complaint.

286. Admits the allegations contained in paragraph “286” of the Complaint.

287. Admits the allegations contained in paragraph “287” of the Complaint, except deny knowledge or information sufficient to form a belief as to the John Doe Defendants.

288. Denies each and every allegation contained in paragraph “288” of the Complaint

289. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “289” of the Complaint to the extent referable to other Defendants. Denies each and every allegation contained in paragraph “289” of the Complaint

290. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “290” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “290” of the Complaint, and refers all questions of Law to the Honorable Court.

291. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “291” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “291” of the Complaint, and refers all questions of Law to the Honorable Court.

292. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “292” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s),

denies each and every allegation contained in paragraph “292” of the Complaint, and refers all questions of Law to the Honorable Court.

293. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “293” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “293” of the Complaint, and refers all questions of Law to the Honorable Court.

294. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “294” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “294” of the Complaint, and refers all questions of Law to the Honorable Court.

295. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “295” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “295” of the Complaint, and refers all questions of Law to the Honorable Court.

296. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “296” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “296” of the Complaint, and refers all questions of Law to the Honorable Court.

297. Denies each and every allegation contained in paragraph “297” of the Complaint.

COUNT II

(CIVIL RICO CONSPIRACY)

(AS AGAINST ALL DEFENDANTS)

298. Defendant(s) repeat their answers, as if fully set forth herein, to the allegations contained in paragraphs 1-297 of Plaintiff's Complaint.

299. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph "299" of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph "299" of the Complaint, and refers all questions of Law to the Honorable Court.

300. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph "300" of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph "300" of the Complaint, and refers all questions of Law to the Honorable Court.

301. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph "301" of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph "301" of the Complaint, and refers all questions of Law to the Honorable Court.

302. Denies each and every allegation contained in paragraph "302" of the Complaint.

COUNT III

**(CIVIL RICO BASED ON CERTAIN DEFENDANT'S ASSOCIATION-
IN-FACT AS A CRIMINAL ENTERPRISE)
(AS AGAINST THE CORE ENTERPRISE DEFENDANTS)**

303. Defendant(s) repeat their answers, as if fully set forth herein, to the allegations contained in paragraphs 1-303 of Plaintiff's Complaint.
304. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph "304" of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph "304" of the Complaint, and refers all questions of Law to the Honorable Court.
305. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph "305" of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph "305" of the Complaint, and refers all questions of Law to the Honorable Court.
306. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph "306" of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph "306" of the Complaint, and refers all questions of Law to the Honorable Court.
307. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph "307" of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s),

denies each and every allegation contained in paragraph “307” of the Complaint, and refers all questions of Law to the Honorable Court.

308. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “308” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “308” of the Complaint, and refers all questions of Law to the Honorable Court.

309. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “309” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “309” of the Complaint, and refers all questions of Law to the Honorable Court.

310. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “310” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “310” of the Complaint, and refers all questions of Law to the Honorable Court.

311. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “311” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “311” of the Complaint, and refers all questions of Law to the Honorable Court.

312. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “312” of the Complaint to the extent

referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “312” of the Complaint, and refers all questions of Law to the Honorable Court.

313. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “313” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “313” of the Complaint, and refers all questions of Law to the Honorable Court.

314. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “314” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “315” of the Complaint, and refers all questions of Law to the Honorable Court.

315. Denies each and every allegation contained in paragraph “315” of the Complaint.

COUNT IV

(CIVIL RICO CONSPIRACY)

(AGAINST THE COMPASS GROUP/ESS DEFENDANTS)

316. Defendant(s) repeat their answers, as if fully set forth herein, to the allegations contained in paragraphs 1-316 of Plaintiff’s Complaint.

317. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “317” of the Complaint to the extent referable to other Defendants.

318. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “318” of the Complaint to the extent referable to other Defendants.

319. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “319” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “319” of the Complaint, and refers all questions of Law to the Honorable Court.

320. Denies each and every allegation contained in paragraph “320” of the Complaint.

COUNT V

**(CIVIL RICO BASED ON THE ASSOCIATION-
-IN-FACT OF ALL DEFENDANTS AS A CRIMINAL ENTERPRISE)**

(AS AGAINST ALL DEFENDANTS)

321. Defendant(s) repeat their answers, as if fully set forth herein, to the allegations contained in paragraphs 1-321 of Plaintiff’s Complaint.

322. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “322” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “322” of the Complaint, and refers all questions of Law to the Honorable Court.

323. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “323” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “323” of the Complaint, and refers all questions of Law to the Honorable Court.

324. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “324” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “324” of the Complaint, and refers all questions of Law to the Honorable Court.

325. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “325” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “325” of the Complaint, and refers all questions of Law to the Honorable Court.

326. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “326” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “326” of the Complaint, and refers all questions of Law to the Honorable Court.

327. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “327” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “327” of the Complaint, and refers all questions of Law to the Honorable Court.

328. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “328” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s),

denies each and every allegation contained in paragraph "328" of the Complaint, and refers all questions of Law to the Honorable Court.

329. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph "329" of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph "329" of the Complaint, and refers all questions of Law to the Honorable Court.

330. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph "330" of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph "330" of the Complaint, and refers all questions of Law to the Honorable Court.

331. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph "331" of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph "331" of the Complaint, and refers all questions of Law to the Honorable Court.

332. Denies each and every allegation contained in paragraph "332" of the Complaint.

COUNT VI

(CIVIL RICO CONSPIRACY)

(AS AGAINST ALL DEFENDANTS)

333. Defendant(s) repeat their answers, as if fully set forth herein, to the allegations contained in paragraphs 1-333 of Plaintiff's Complaint.

334. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “334” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “334” of the Complaint, and refers all questions of Law to the Honorable Court.

335. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “335” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “335” of the Complaint, and refers all questions of Law to the Honorable Court.

336. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “336” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “336” of the Complaint, and refers all questions of Law to the Honorable Court.

337. Denies each and every allegation contained in paragraph “337” of the Complaint.

COUNT VII

ROBINSON-PATMAN ACT

(AS AGAINST DEFENDANTS COMPASS GROUP/ESS AND IHC)

338. Defendant(s) repeat their answers, as if fully set forth herein, to the allegations contained in paragraphs 1-338 of Plaintiff’s Complaint.

339. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “339” of the Complaint.

340. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “340” of the Complaint.

341. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “341” of the Complaint.

342. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “342” of the Complaint.

343. Denies each and every allegation contained in paragraph “343” of the Complaint.

344. Denies each and every allegation contained in paragraph “344” of the Complaint.

345. Denies each and every allegation contained in paragraph “345” of the Complaint, except admits that Yakovlav was an agent of the United Nations, and owed fiduciary duties to the Untied Nations.

346. Denies each and every allegation contained in paragraph “346” of the Complaint.

347. Denies each and every allegation contained in paragraph “347” of the Complaint.

348. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “348” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “348” of the Complaint. To the extent referable to the Plaintiff, ES-KO, denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “348” of the complaint.

349. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “349” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “349” of the Complaint.

350. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph "350." To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph "350" of the Complaint.

351. Denies each and every allegation contained in paragraph "351" of the Complaint.

COUNT VIII

ROBINSON-PATMAN ACT

(AS AGAINST DEFENDANT ALEXANDER YAKOVLEV)

352. Defendant(s) repeat their answers, as if fully set forth herein, to the allegations contained in paragraphs 1-351 of Plaintiff's Complaint.

353. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph "353" of the Complaint.

354. Admits the allegation contained in paragraph "354" of the Complaint.

355. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph "355" of the Complaint.

356. Denies each and every allegation contained in paragraph "356" of the Complaint.

357. Denies each and every allegation contained in paragraph "357" of the Complaint.

358. Denies each and every allegation contained in paragraph "358" of the Complaint.

359. Denies each and every allegation contained in paragraph "359" of the Complaint, except admits that Yakovlev was an agent of the United Nations, and owed fiduciary duties to the Untied Nations.

360. Denies each and every allegation contained in paragraph "360" of the Complaint.

361. Denies each and every allegation contained in paragraph "361" of the Complaint, and refers all question of law to your Honorable Court.
362. Denies each and every allegation contained in paragraph "362" of the Complaint.
363. Denies each and every allegation contained in paragraph "363" of the Complaint.
364. Denies each and every allegation contained in paragraph "364" of the Complaint.
365. Denies each and every allegation contained in paragraph "365" of the Complaint.

COUNT IV

**(TORTIOUS INTERFERENCE WITH
PROSPECTIVE BUSINESS ADVANTAGE)**

**(AS AGAINST DEFENDANT'S COMPASS GROUP/ESS,
PETER HARRIS, ANDREW SEIWERT, STEVE KEMP, LEN SWAIN,
STEVE BICKERSTAFF, DOUG KERR, IHC SERVICES,
AND EZIO TESTA)**

366. Defendant(s) repeat their answers, as if fully set forth herein, to the allegations contained in paragraphs 1-365 of Plaintiff's Complaint.
367. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph "367" of the Complaint.
368. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph "368" of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph "368" of the Complaint.
369. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph "369" of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph "369" of the Complaint.

370. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “370” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “370” of the Complaint.

371. Denies each and every allegation contained in paragraph “371” of the Complaint.

COUNT X

(UNFAIR COMPETITION)

**(AS AGASINT DEFENDANTS COMPASS GROUP/ESS, PETER HARRIS
ANDREW SIEWERT, STEVE KEMPT, LEN SWAIN,
STEVE BICKERSTAFF, DOUG KERR, IHC SERVICES,
EZIO TESTA AND JOHN DOES 1 TO 100)**

372. Defendant(s) repeat their answers, as if fully set forth herein, to the allegations contained in paragraphs 1-371 of Plaintiff’s Complaint.

373. Admits the allegations contained in paragraph “373” of the Complaint.

374. Deny each and every allegation in paragraph “374” of the Complaint.

375. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “375” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “375” of the Complaint.

376. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “376” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “376” of the Complaint.

377. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “377” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “377” of the Complaint.

378. Denies each and every allegation contained in paragraph “378” of the Complaint.

COUNT XI

(MISAPPROPRIATION OF TRADE SECRETS

**(AS AGAINST DEFENDANTS COMPASS GROUP/ESS, PETER HARRIS,
ANDREW SEIWERT, STEVE KEMP, LEN SWAIN,
STEVE BICKERSTAFF, DOUG KERR, IHC SERVICES,
EZIO TESTA, AND JOHN DOES 1 TO 100)**

379. Defendant(s) repeat their answers, as if fully set forth herein, to the allegations contained in paragraphs 1-378 of Plaintiff’s Complaint.

380. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “380” of the Complaint.

381. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “381” of the Complaint

382. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph “382” of the Complaint to the extent referable to other Defendants. To the extent referable to the answering Defendant(s), denies each and every allegation contained in paragraph “382” of the Complaint.

383. Denies each and every allegation contained in paragraph “383” of the Complaint.

384. Denies each and every allegation contained in paragraph “384” of the Complaint.

COUNT XII

(UNJUST ENRICHMENT)

(AS AGAINST DEFENDANTS COMPASS GROUP/ESS AND IHC)

385. Defendant(s) repeat their answers, as if fully set forth herein, to the allegations contained in paragraphs 1-384 of Plaintiff's Complaint.

386. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in paragraph "386" of the Complaint.

387. Denies each and every allegation contained in paragraph "387" of the Complaint.

388. Denies each and every allegation contained in paragraph "388" of the Complaint.

389. Denies each and every allegation contained in paragraph "389" of the Complaint.

390. Denies each and every allegation contained in paragraph "390" of the Complaint.

391. Denies each and every allegation contained in paragraph "391" of the Complaint.

COUNT XIII

(UNJUST ENRICHMENT)

(AS AGAINST DEFENDANTS COMPASS GROUP/ESS AND IHC)

392. Defendant(s) repeat their answers, as if fully set forth herein, to the allegations contained in paragraphs 1-391 of Plaintiff's Complaint.

393. Admits the allegations contained in paragraph "393" of the Complaint.

394. Denies each and every allegation contained in paragraph "394" of the Complaint.

395. Denies each and every allegation contained in paragraph "395" of the Complaint.

396. Denies each and every allegation contained in paragraph "396" of the Complaint.

397. Denies each and every allegation contained in paragraph "397" of the Complaint.

398. Denies each and every allegation contained in paragraph "398" of the Complaint.

AS AND FOR A FIRST AFFIRMATIVE DEFENSE

399. Plaintiff lacks standing and may not legally maintain a cause of action against the answering Defendant(s) for the causes of actions asserted in Plaintiff's complaint.

Therefore, each of the causes of action asserted against each answering Defendant must be dismissed.

AS AND FOR THE SECOND AFFIRMATIVE DEFENSE

400. Plaintiff lacks standing and may not legally maintain a cause of action against the answering Defendant(s) premised upon the Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. Section 1961 et. seq., because, inter alia, Plaintiff failed to allege, nor can Plaintiff show, indictable offenses committed by the answering Defendant(s) or injury caused by the alleged racketeering activity asserted against the answering Defendant(s).

AS AND FOR A THIRD AFFIRMATIVE DEFENSE

401. The Plaintiff's Complaint, in whole or in part, is legally deficient and fails to state a claim upon which relief may be granted as against the answering Defendant(s).

AS AND FOR A FOURTH AFFIRMATIVE DEFENSE

402. The Complaint, in or whole or in part, is legally deficient in that Plaintiff has failed to plead fraud with sufficient particularity and detail necessary to advise each answering Defendant as to the basis of Plaintiffs claims.

AS AND FOR A FIFTH AFFIRMATIVE DEFENSE

403. The Plaintiff Complaint, in whole or in part, is barred by the equitable doctrines of waiver, laches, and/or unclean hands.

AS AND FOR A SIXTH AFFIRMATIVE DEFENSE

404. The Plaintiff's Complaint, in whole or in part, is barred by the doctrine of estoppel.

AS AND FOR A SEVENTH AFFIRMATIVE DEFENSE

405. Plaintiff has failed to mitigate its damages, if any.

AS AND FOR AN EIGHTH AFFIRMATIVE DEFENSE

406. Plaintiff's claims are barred by the applicable statute of limitations.

AS AND FOR A NINTH AFFIRMATIVE DEFENSE

407. Plaintiff is barred from asserting claims in its Complaint by virtue of its failure to include a necessary party to this litigation.

AS AND FOR THE TENTH AFFIRMATIVE DEFENSE

408. To the extent that Plaintiff allegedly sustained damages as set forth in the Plaintiff's Complaint, such damages were sustained, in whole or in part, through the acts and omissions of Plaintiff, its officers, directors, owners, shareholders, agents, representatives, servants, and/or employees, or through the acts and omissions of Defendants COMPASS GROUP PLC, ESS SUPPORT SERVICES WORLDWIDE, EUREST SUPPORT SERVICES (CYPRUS) INTERNAIONAL LIMITED, PETER HARRIS, ANDREW SEIWERT, STEVE KEMP, LEN SWAIN, STEVE BICKERSTAFF, DOUG KERR, IHC SERVICES, INC., EZIO TESTA VLADAMIR KUZNETSOV, and JOHN DOES 1 to 100.

AS AND FOR THE ELEVENTH AFFIRMATIVE DEFENSE

409. In its Complaint, Plaintiff does not describe its alleged injuries or the alleged cause(s) thereof with sufficient particularity to enable each answering Defendant to determine what additional defense he/she/it/they may have. Therefore, each answering Defendant reserves the right to assert additional defenses and amend this Answer as further information concerning the alleged injuries and the alleged cause thereof is provided.

AS AND FOR THE TWELTH AFFIRMATIVE DEFENSE

410. In its Complaint and its corresponding "Claims for Relief" Plaintiff fails to make our or properly plead any and all such relief.

RELIEF

WHEREFORE, the answering Defendant(s) demand judgment as follows:

- A. Against Plaintiff dismissing its Complaint in its entirety; and
- B. Interest, attorneys fees, and costs and disbursements of this action; and
- C. Such other and further relief as to the Court may deem just, proper, and equitable.

Dated: June 2, 2006
New York , New York

LAW OFFICES OF BUKH & ASSOCIATES

By: _____ /s/
Arkady Bukh
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Brooklyn, NY 11235
(718) 376-4766
Attorney for the Yakovlev(s)

